

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.606(b),)	MB Docket No. 02-130
Table of Allotments,)	RM-10438
Television Broadcast Stations; and)	
Section 73.622(b), Table of Allotments,)	
Digital Broadcast Television Stations.)	
(Des Moines, Iowa)		

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: September 18, 2002

Released: September 24, 2002

By the Chief, Video Division:

1. At the request of Frank Duross, Kaleidoscope Partners, Caroline K. Powley, JJJH, LLP, Stead Communications, and ValueVision International, Inc. (“collectively, the “Joint Petitioners”), applicants for a new television station to operate on analog channel 69 at Des Moines, Iowa, the Commission has before it the Notice of Proposed Rule Making, 17 FCC Rcd 10454 (2002), proposing the substitution of DTV channel 56 for channel 69. The Joint Petitioners filed supporting comments.¹ No other comments were received.

2. We believe the public interest would be served by the substitution of DTV channel 56 for channel 69 since it would provide the community of Des Moines with an additional DTV service. DTV channel 56 can be allotted to Des Moines, Iowa, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 41-38-05 N. and 93-34-46 W. DTV channel 56 can be allotted to Des Moines with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
IA Des Moines	56	1000	151	645

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r)

¹ The Joint Petitioners filed their petition pursuant to the provisions outlined in the Commission’s Public Notice (“*Public Notice*”) released on February 6, 2002, DA 02-270. That *Public Notice* opened a window to allow applicants with certain pending requests for new analog television stations on channels 52-59 to modify their requests. Initially, the Joint Petitioners filed a petition for rule making seeking the allotment of NTSC channel 56 in lieu of channel 69. However, when the Commission reallocated channels 52-59 for other uses, the Joint Petitioners filed a new petition for rule making seeking the substitution of DTV channel 56 in lieu of channel 69 at Des Moines. The Joint Petitioners state their present intention for Caroline K. Powley, or another member of the Joint Petitioners, to apply for DTV channel 56, if allotted.

and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective November 8, 2002, the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Des Moines, Iowa	8-, *11+, 13-, 17+, *43-, 63-

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective November 8, 2002, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Des Moines, Iowa	16, 19, 26, 31, *50, 56

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Caroline K. Powley or another member of the Joint Petitioners shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 56 in lieu of TV Channel 69.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau